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CONVENTION ON THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION AND STOCKPILING OF BACTERIOLOGICAL (BIOLOGICAL) AND TOXIN WEAPONS AND ON THEIR DESTRUCTION

Letter dated 26 May 1995 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

Please find enclosed the final document of the Regional Seminar on the National Implementation of the Convention on Chemical Weapons, held in Havana from 14 to 16 March 1995.

I kindly request the distribution of the present letter and its annex as an official document of the General Assembly under item 80 of the preliminary list.

(Signed) Bruno RODRÍGUEZ PARRILLA
Ambassador
Permanent Representative

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Annex

FINAL DOCUMENT OF THE REGIONAL SEMINAR ON THE NATIONAL IMPLEMENTATION OF THE CONVENTION ON CHEMICAL WEAPONS, HELD IN HAVANA, 14-16 MARCH 1995

The Regional Seminar on the National Implementation of the Convention on Chemical Weapons was held at the Palacio de las Convenciones in Havana from 14 to 16 March 1995. It was organized by the Ministry of Foreign Affairs and the Ministry of Science, Technology and the Environment, with the participation of other institutions of the Republic of Cuba and the cooperation of the provisional Technical Secretariat of the Preparatory Commission for the Organization on the Prohibition of Chemical Weapons, and with the support of the Governments of Canada and the United Kingdom of Great Britain and Northern Ireland.

A total of 14 countries from the Latin American and Caribbean region participated in the Seminar, including signatory States and States which had not yet signed the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, namely, Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Ecuador, Guyana, Jamaica, Mexico, Peru, Saint Lucia and Uruguay.

The following countries also participated as guests: Canada, Germany, the Netherlands, Russian Federation, Switzerland and the United Kingdom of Great Britain and Northern Ireland.

From the provisional Technical Secretariat, the Legal Adviser of the Preparatory Commission, Mr. Félix Calderón, attended, representing the Executive Secretary of the Organization on the Prohibition of Chemical Weapons. The Secretary-General of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL), Mr. Enrique Roman Morey, participated as a guest, as did other officials as noted on the list of participants.

Representatives of non-governmental organizations participating in the Seminar included research assistants from the Institute of Public Law of the University of Frankfurt, Germany, and from Argonne National Laboratory, United States of America.

The seminar was officially opened by Dr. Rosa Elena Siméon Negrín, Minister of Science, Technology and the Environment of the Republic of Cuba. In her address the Minister highlighted the main points of the Convention. She said that more than 20 years of negotiations had culminated, in 1992, in the adoption by the United Nations General Assembly of resolution 47/39, in which the Assembly commended the draft Convention and requested the Secretary-General of the United Nations to open it for signature in January 1993, at which time Cuba, together with another 129 States, became one of the original signatories.

To an extent which was unprecedented, in the sphere of international law on disarmament and international security, the Convention on chemical weapons was a comprehensive and complex instrument, balanced in its provisions, non-discriminatory in spirit and global in its objectives. Correctly and

effectively implemented, it should contribute to an increase in world - and, therefore, regional - security: for all that, full appreciation should continue to be accorded to the real importance of the contribution it would make to developing countries, where security was not expressed in purely military terms.

Mr. Félix Calderón, in his address, emphasized that the 1993 Convention, in addition to strengthening security and confidence, was also of importance to the economies of the region, since it encouraged the States parties to participate in the fullest possible exchange of chemical substances, equipment and scientific and technical information relating to the application and development of the chemical sector for peaceful purposes. He called on countries of the region to submit more applications for the training courses for inspectors and inspection assistants in the future Organization on the Prohibition of Chemical Weapons. In this way, Latin America and the Caribbean would be adequately represented on the inspection teams when the Convention entered into force.

An important element of the Seminar was the demonstration of a routine inspection of a dummy facility producing a Schedule 3 chemical (triethanolamine). In this exercise, each phase of an inspection of this type was explained and simulated. Special attention was given to those stages considered essential to an understanding of the verification procedure at a facility producing a Schedule 3 chemical.

The participants emphasized that this activity represented an important contribution on Cuba's part to the success of the Seminar. There was general agreement that the Seminar had allowed the fullest exchange of opinions on the measures already adopted by the countries of the region as part of the process of preparing for the future implementation of the provisions of the Convention when it came into force and for the establishment of a National Authority in each country.

In the course of the Seminar, the following topics were examined:

(a) Matters for consideration by the States parties during the preparatory phase of the implementation of the provisions of the Convention;

(b) National experience relating to the establishment of a National Authority;

(c) Matters relating to the chemical industry;

(d) Rights and obligations of the States parties to the Convention in the matters of assistance (article X) and technical cooperation (article XI);

(e) The Preparatory Commission: a survey of its activities.

On the subject of "Matters for consideration by the States parties during the preparatory phase of the implementation of the provisions of the Convention", three papers were presented by guest speakers, dealing with various legal issues which had previously been examined by a selected group of countries. The papers reported on basic aspects of the national regulations of certain countries, some of which were deemed useful for the region.

On the subject of "National experience relating to the establishment of a National Authority", six papers were presented, some by the delegations of countries of the region, others by guest speakers, reporting on specific experience in the establishment of National Authorities in Argentina, Chile, Costa Rica, Cuba, Russian Federation and the United Kingdom of Great Britain and Northern Ireland.

On the subject "Matters relating to the chemical industry", the following issues were discussed:

(a) Effects of the provisions of the Convention on States which did not possess chemical weapons;

(b) Activities within the chemical industry to comply with the provisions of the Convention.

With regard to the first issue, the following specific aspects were examined:

(a) Identification of activities which required declaration, on which two papers were presented;

(b) The chemical industry and confidentiality in the Convention on chemical weapons: national points of view - on which one paper was presented;

(c) Identification of chemical imports and exports and collection of data on imports and exports requiring declaration, on which one paper was presented.

With regard to the second issue, the following specific aspects were examined:

(a) Declarations and declaration forms, on which one paper was presented;

(b) Routine inspections in the chemical industry, on which three papers were presented.

On the subject "Rights and obligations of the States parties to the Convention in the matter of assistance (article X) and technical cooperation (article XI)", three papers were presented. They dealt with how important it was for developing countries to have international cooperation in the elimination of restrictions and limitations imposed unilaterally or by a group of countries, preventing or hindering free trade; access to equipment, technologies and scientific and technical information other than those stipulated in the provisions of the Convention; and the need to guarantee unhindered development of the chemical industry for legitimate and peaceful ends in the countries of the region.

Further, it was emphasized that all national legislation would need to be reviewed before the entry into force of the Convention, in order to guarantee compliance with all its provisions by all the States parties, without exception.

On the subject "The Preparatory Commission: a survey of its activities", basic aspects of the Commission's work were highlighted, namely, the progress of

the various expert groups established within working groups A and B; existing difficulties; and future tasks. A set of proposals to enhance the Commission's work and facilitate the search for solutions to outstanding matters was put forward in the course of the four presentations made on the subject.

Consideration of the above questions led to a free discussion among the participants, which made it clear that their interests coincided.

Participants in the Seminar from the countries of the region confirmed their undertakings regarding the basic objectives and purposes of the Convention, and their intention to ratify it at whatever time each country considered most appropriate.

The participants themselves also underlined the importance of the United States of America and the Russian Federation becoming States parties to the Convention before it entered into force, in order to ensure the achievement of the basic objectives of the Convention.

The participants from the countries of the region remained convinced that the holding of regional seminars, properly prepared and with well-defined and specific objectives, was of vital importance for developing countries. All necessary steps should be taken, therefore, to organize more such seminars in the future. For that reason, the Seminar participants expressed their great appreciation and deep gratitude to the secretariat for organizing the seminars and hoped that they would continue to receive the support of the States members of the Commission in their work.

In the course of the Seminar, the Cuban delegation circulated a draft programme of action, the main objective of which was to facilitate the fullest cooperation possible among the countries of the region in those areas which were relevant to them, in order to be able to progress jointly with the necessary preparation for the full implementation of the provisions of the Convention.

Particular thanks were extended to the Governments of Canada and the United Kingdom of Great Britain and Northern Ireland for their invaluable financial contribution to the work of the Seminar.

Lastly, the participants expressed their appreciation to the Cuban authorities for the high quality of the organization of the Seminar and for the facilities made available to them to ensure its success.